

**REGULAR MEETING
MINOCQUA BOARD OF SUPERVISORS
September 5th, 2006**

A regular meeting of the Minocqua Board of Supervisors was called to order by Chairman Handrick at 7:00 p.m. on September 5th, 2006 in the Board Room of the Minocqua Center.

Present were: Chairman Joe Handrick, Supervisors, Bryan Jennings, John Thompson, David Huber and Mark Hartzheim, Clerk Roben Haggart, Public Works Superintendent Robert “Butch” Welch, Police Chief Norbert “Mac” McMahon and approximately 75 people in attendance.

Motion by Thompson, seconded by Hartzheim to approve the agenda as presented. Voice Vote: Motion Carried.

Motion by Handrick, seconded by Hartzheim to approve the minutes from the Regular Town Board meeting held on August 15th, 2006 and Board of Review held on August 17th, 2006. Voice Vote: Motion Carried.

OLD BUSINESS

MINOCQUA GUN CLUB – ADDITION OF RIFLE RANGE

PW Superintendent Butch Welch suggested that we move number five (Riegert CUP & Condo Plat) on the agenda up as most people in attendance are here for this specific item.

CONDITIONAL USE PERMIT & PRELIMINARY CONDOMINIUM PLAT – RIEGERT

Conditional Use Permit Application and Preliminary Condominium Plat #46-06 for Jeff Riegert, 17 condominium units at 12089 Kobart Road, on property described as part of G.L. 1, Section 9, T39N, R5E, MI 1692-1.

Chairman Handrick read the following motion/conditions made by the Planning Commission regarding this project:

MOTION by Handrick, **SECONDED** by Rude to recommend to the Minocqua Town Board that they ask the county to not-approve the permit for the following reasons:

1. The project would be disruptive and detrimental to neighboring properties and is not compatible with the adjacent lands in the area;
2. The property itself would need to be dramatically altered.

The motion goes on to recommend that the Minocqua Town Board pass along the following list of conditions the town would ask to be considered if, in fact, the county issued the permit notwithstanding the town’s objections:

- All condo units be sprinkled;
- Landscaping plan be submitted to the town with a landscaping bond equal to 80% of the estimated landscaping costs;
- The project be completed within 2 years;
- No transient rentals permitted (transient being defined as less than 1 month) and no time sharing of units;
- No outdoor storage of land toys including snowmobiles and ATVs;
- All units to have garages;
- An erosion control and storm water management plan to be developed, bonded, and paid by the developers;

Layout of units to be consistent with design submitted at Planning Commission meeting of August 31, 2006.

Chairman Handrick opened up the floor for discussion.

Mike Olp spoke in opposition of the project. Attorney Mike Stingl, representing property owners on the lake, cited several reasons his clients oppose the project including; improper use of the property, density issues, pressure on the lake & boat landings, septic system concerns and weekly rentals. Jim Rein, agent for Jeff Riegert presented the project to the board and answered their questions. Several members of the audience were allowed to comment on the project and ask questions. Chairman Handrick called for a vote from the audience. No one was in favor of the project. Some would approve if there were no weekly rentals and if the number of units was reduced to 10 or less.

Motion by Huber, seconded by Jennings to accept the recommendation of the Planning Commission and not approve the permit for reasons 1 & 2 as stated, with the addition of #3, Public safety concerns at the boat landing and on Kobart Road and to also include the contingencies as listed. Voice Vote: Motion Carried. Supervisor Hartzheim abstained.

There was discussion pertaining to the landscape bond and it was agreed that an actual amount be stated in the conditions.

Motion by Thompson, seconded by Jennings to require a \$300,000 landscape bond be filed with the Town to the conditions.

Supervisor Thompson withdrew his motion.

Motion by Huber, seconded by Handrick to re-consider the motion made by Huber. Voice Vote: Motion Carried.

MOTION by Handrick, SECONDED by Thompson to accept the recommendation of the Planning Commission with the following additions:

1. The project would be disruptive and detrimental to neighboring properties and is not compatible with the adjacent lands in the area;
2. The property itself would need to be dramatically altered.
3. *Public safety concerns at the boat landing and on Kobart Road.*

The motion goes on to recommend that the county consider passing along the following list of conditions if, in fact, the county issues the permit notwithstanding the town's objections:

- All condo units be sprinkled;
- Landscaping plan be submitted to the town with a landscaping bond of \$300,000.
- The project be completed within 2 years;
- No transient rentals permitted (transient being defined as less than 1 month) and no time sharing of units;
- No outdoor storage of land toys including snowmobiles and ATVs;
- All units to have garages;
- An erosion control and storm water management plan to be developed, bonded, and paid by the developers;
- Layout of units to be consistent with design submitted at Planning Commission meeting of August 31, 2006; *or reduce the number of units to 10.*

Voice Vote: Motion Carried. Supervisor Hartzheim abstained.

MINOCQUA GUN CLUB – ADDITION OF RIFLE RANGE

Jim Anderson, representative from the Minocqua Gun Club was present. He stated that the club is requesting this location in order to control trespassing and monitor usage with keys. Chief McMahon said that the police department moved their practice range (which was at the proposed location) due to the fact that the shots were heading towards town and they felt it could be a potential safety problem. The noise issue was also discussed.

Motion by Handrick, seconded by Thompson to approve the request for the rifle range for the Minocqua Gun Club with the following conditions:

- **The range stations must be portable.**
- **If it becomes a problem/nuisance the board can rescind its decision.**
- **State & County approval, if necessary.**

Voice Vote: Motion Carried.

NEW BUSINESS

REMOVE SETBACK RESTRICTION – LYNN PROPERTY HWY 70 WEST

T & T Lynn Property, (Camp Pinemere Road), Lot 2 CSM# 2325, Lots 1 & 2, CSM #2984, Pt. Govt. Lot 1, S8,T39N, R6E. Request to release setback restriction – Wis. DOT/Robert H. Winat. Jim Rein presented the board with a map and explanation of the request.

Motion by Jennings, seconded by Huber to approve the request from Thomas Lynn and release the Trans 233 Adm. Code. Voice Vote: Motion Carried.

TENT APPLICATION – SEDLAK'S CHEVROLET

Motion by Huber, seconded by Hartzheim to approve the tent application as presented. Voice Vote: Motion Carried.

MINOCQUA ISLAND BUSINESS ASSOCIATION

They are requesting authorization to hold their 2nd Annual Freedom Blast on July 3rd, 2007 at Torpy Park.

Motion by Huber, seconded by Jennings to approve the request. Voice Vote: Motion Carried.

MINOCQUA POLICE DEPARTMENT REPORT

Chief McMahon read the Minocqua Police Activity Report from July 18th, 2006 through August 31st, 2006.

CONDITIONAL USE PERMIT APPLICATION - ALLEN

Conditional Use Permit Application #49-06 for Bryan Allen, applicant, Delores Cory, owner, for a Mexican Restaurant (525 Flambeau St.) on property described at Lot 1, block 1, Section 14, T39N, R6E, MI 3201.

Motion by Huber, seconded by Thompson to accept the recommendation of the Planning Commission and approve the Conditional Use Permit for Bryan Allen. Voice Vote: Motion Carried.

PINEWOOD DRIVE DISCONTINUANCE – **TABLED**

RE-ZONE RECREATIONAL LAND TO SINGLE FAMILY

This item was brought forward in an effort to make people aware that there are areas in the town that are currently zoned recreational within single family zoning. The idea of property owners/neighbors petitioning to re-zone these areas to single family was raised in an effort to control condominium development and other developments which are allowed in recreational districts. Jim Rein stated that the County has put forth some amendments pertaining to size requirements in an effort to eliminate “overbuilding” of a parcel. It was suggested that the Planning Commission look into the possibility of re-zoning these areas.

OPERATOR LICENSE APPLICATIONS

Clerk Roben Haggart presented the following Operator License Applications for approval: Geneva Maldonado (2 yr); Julie Rager (2 yr); Daniel Wujkowski (1 yr); Michael Umhoefer (2 yr); Cheri Schulta (2 yr); Veronica Kress (2 yr); Christine Albano (1 yr).

Motion by Huber, seconded by Thompson to approve the seven Operator License Applications as presented. Voice Vote: Motion Carried.

Motion by Jennings, seconded by Thompson to adjourn meeting. Voice Vote: Motion Carried.
Meeting adjourned at 9:20 p.m.

Roben Haggart, CMC
Town Clerk